

Application for Site and/or Bond Release

Operator/Permittee: Teck American Incorporated	
Mine/Project Name: <u>Apex Mine</u>	
File Number: <u>M/053/0004</u>	
Check One: <input checked="" type="checkbox"/> Large Mine <input type="checkbox"/> Small Mine <input type="checkbox"/> Exploration	
Check one: Partial Release of a <u>portion</u> of the mine site: Acres to be released: _____ Acres Remaining: _____ Specify Area: _____ Full Release of a <u>portion</u> of the mine site: _____ Acres to be released: _____ Specify Area: _____ (A new map will need to be provided for the Notice or plan removing the released area from the disturbed or bonded area.) <input checked="" type="checkbox"/> Partial Release of entire mine site: _____ Total Acres to be released: <u>10+/- ac.</u> (Backfilling and grading are completed) Full Release of entire mine site: _____ Total Acres to be released: _____ (Vegetation is established and has survived three growing seasons.)	
Amount of Existing Surety: <u>\$57,300.00</u>	
Amount of Surety requested for release: <u>\$49,300.00</u>	
Reason for Bond Release Request: Site reclamation is complete. Vegetation requires growth period.	
Complete this section if the money released from this application is to be used as surety for future disturbance. Release bond on: _____ Acres (specify area) _____ Apply Bond to: _____ Acres (specify area) _____	
Check Applicable Boxes	DESCRIPTION of RECLAMATION ACTIVITIES COMPLETED (Describe any variance(s) that have been granted, date activity completed)
<input checked="" type="checkbox"/> Wells Plugged / shafts sealed	Adits were sealed with concrete.
<input checked="" type="checkbox"/> Disposal of debris & other materials incident to mining	Buildings and excess materials were hauled to the landfill.

X	Drainages, reestablished & stable	Confirmed by field visit with Lynn Kunzler 11/16/11.
X	Structures demolished / removed	Confirmed by field visit with Lynn Kunzler 11/16/11.
X	Regrading Completed – Slopes, pits, highwalls in stable condition	Confirmed by field visit with Lynn Kunzler 11/16/11. Seeding requires growth period.
X	Meets Postmining Land Use (Indicate Landuse)	Remains private property.
X	Roads Reclaimed	Confirmed via pictures.
X	Dams, Impoundments, Ditches, Pits reclaimed	N/A
X	Topsoil respread – amendments added	N/A – No topsoil required.
X	Erosion Controlled	Seeding required growth period.
X	Vegetation meets 70% of premining cover and has survived three years for full bond release – or has survived one year growing season to maintain small mine status.	To be determined upon re-inspection spring 2012.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments and obligations, herein.

Dave W. Godlewski, V.P.
Print Name


Sign Name, Position Vice President

11/21/2011
Date

Return to:

State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
Phone: (801) 538-5291 Fax: (801) 359-3940

FOR DOGM USE ONLY:	
File #: M/ _____ / _____	
Approved: _____	
Bond Adjustment: from (\$) _____	
to \$ _____	

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Mix Name: m9802

Mix # 100865

3 of 3

235894

m9802

% Pure	Common Name	Variety	G + D or H	Origin
28.12	INDIAN RICEGRASS	Rimrock	91 -TZ	MT
17.04	INTERMEDIATE WHEATGRASS	Clare	93 -TZ	CAN
9.88	CURL-LEAF MTN MAHOGANY	VNS	92 +0 -TZ	UT
9.43	SERVICEBERRY	VNS	94 -TZ	UT
8.61	BOTTLEBRUSH SQUIRRELTAIL	VNS	92 -TZ	WA
8.17	SMALL BURNET	Clare	88 +9	ID
4.40	FORAGE KOCHIA	VNS	90 +0 -TZ	UT
4.26	MUNRO GLOBEMALLOW	VNS	93 -TZ	
4.17	PALMER PENSTEMON	VNS	95 +0 -TZ	UT
1.67	BLUEGRASS, SANDBERG	MS-1	95 -TZ	
0.82	MOUNTAIN BIG SAGEBRUSH	VNS	97 -TZ	UT

0.03 Other Crop

Date Tested

16-NOV-10

5.80 Inert Matter

% Hard Seed

0.00

0.01 Weed Seed

Restricted Weed None

Net Weight

33.22

Lbs PLS

38.92

Lbs Bulk

NOTICE TO BUYER LIMITATIONS OF WARRANTIES AND REMEDIES

Crop yield and quality are dependent upon many factors beyond the control of the labeled seller and NO WARRANTY is made for crop yield and quality. The labeled seller warrants that all seed sold has been labeled as required under applicable state and federal seed laws and that the seed conforms to the label description, within recognized tolerances. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE LABEL.

No claim shall be asserted against the labeled seller unless Buyer reports to the labeled seller within a reasonable period after discovery (not to exceed thirty days), any condition that might lead to a complaint. BUYER'S EXCLUSIVE REMEDY FOR ANY CLAIM OR LOSS RESULTING FROM BREACH OF WARRANTY, BREACH OF CONTRACT OR NEGLIGENCE (INCLUDING BUT NOT LIMITED TO INCIDENTAL OR CONSEQUENTIAL DAMAGES) SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE.

By acceptance of the seed, Buyer agrees the terms and conditions stated above are a benefit to the bargain and constitute the entire agreement between Buyer and the labeled seller. Buyer shall return the original unopened seed package to the labeled seller within twenty days of receipt for a refund of the purchase price if not accepted under these terms.

NOTICE: REQUIRED ARBITRATION / CONCILIATION / MEDIATION

The seed laws of several states including Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Minnesota, Mississippi, North Dakota, South Carolina (Section 48-21-200), South Dakota, Texas and Washington require arbitration, conciliation or mediation of disputes involving alleged defective seed before certain legal actions may be maintained against a seller. North Carolina offers an alternative to court action that allows claims to be investigated and heard before the Special Seed Board. A complaint (known for AR, CO, FL, IL, IN, MN, MS, NC, SC, TX, WA, signed only, CA, GA, ID, ND, SD) must be filed with the Department of Agriculture or Seed Commissioner (IN) or State Plant Board (AR) or Commissioner of Agriculture (NC) within such time to permit an inspection of seed, crops or plants (by an Arbitration Committee - AR, ID, MS, SC). In NC, failure to follow this procedure will limit the amount of damages recoverable. Certified copy of complaint must be sent by registered mail to the labeled seller as provided in individual state law. Information about these requirements may be obtained from the state Department of Agriculture.

Seller To

IFA

#77 801-808-1214

310 North Industrial Rd

St George UT 84770

Teck

November 29, 2011

State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, UT. 84114-5801

Attn: Mr. Lynn Kunzler

Re: Apex Mine (File # M/053/0004)

Dear Mr. Kunzler,

On behalf of Teck American Incorporated, I would like to submit the following items for your review;

1. Application for Site and/or Bond Release
2. Seed mix with bag label supplied by I.F.A., St. George Utah
3. Picture of Doug Truman seeding Apex Reclamation Site
4. Picture of seed mix coverage on ground

As of November 27th 2011, we have completed the seeding as we discussed on site. Our contractor, Remote Site Services Inc. has completed all work that we had discussed during your visit to the site on November 16, 2011.

Please let me know if you require any additional information to reduce our bond to the amount indicated on the Application for Bond Release.

If you have any questions, please feel free to give me a call to discuss. I can be reached at 509-623-4505.

Sincerely,



Bruce A. Howard
Environmental Coordinator
Teck American Incorporated

CC:

Cathy Suda – TAI
Dave Godlewski – TAI
Kris McCaig – TAI

RECEIVED
DEC 02 2011
DIV. OF OIL, GAS & MINING